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Express Mail No.: EV 860865709 US

THE UNITED STATES PATENT AND  
TRADEMARK OFFICE

Application Number: 10/524,793  
371(c) Date: October 20, 2005  
Applicants: Kenneth M. Evans  
Title: High Resolution Flow Cytometer  
TC/A.U: 4112  
Examiner: Rebecca M. Fritchman  
Assignee: XY, Inc.  
Attorney Docket: XY-Hypodermic-USNP  
Customer No. 33549

## LETTER OF TRANSMITTAL

1. Information Disclosure Statement pursuant to 37 C.F.R. 1.97 (b)(3) along with a copy of each Foreign Patent Document and Non-Patent Literature Document cited – no fee is believed to be required;
2. this Letter of Transmittal;
3. a Certificate of Express Mailing; and
4. Return Post Card.

**Please address all future correspondence to the address associated with customer number 33549 (Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, CO 80521).**

I have this 12 day of June, 2008, either myself personally or through my direction of staff at this office, deposited all of the items in the above letter of transmittal with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

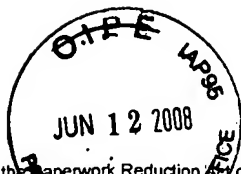
Dated this 12 day of June, 2008.

Respectfully Submitted,  
SANTANGELO LAW OFFICES, P.C.

By: Nicole A. Ressue  
Nicole A. Ressue  
Attorney for Assignee  
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PTO/SB/21 (01-08)

Approved for use through 04/30/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	11/906,704
	Filing Date	10/03/2007
	First Named Inventor	Paul L. DeAngelis
	Art Unit	1632
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	45992.019

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks: 1. Transmittal Form (1 page); 2. Information Disclosure Statement (3 pages); 3. Information Disclosure Statement by Applicant (formerly Form 1449) (6 pages); 4. Cited Material; and 5. Postcard.		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	DUNLAP, CODDING & ROGERS, P.C.		
Signature			
Printed name	Kathryn L. Hester, Ph.D.		
Date	06/12/2008	Reg. No.	46,768

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: *** SENT VIA EXPRESS MAIL NO. EV 842042025 US, DATED: 06/12/2008 ***			
Signature			
Typed or printed name	Kathryn L. Hester, Ph.D.	Date	06/12/2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	10524793
Filing Date	2005-10-20
First Named Inventor	Kenneth M. Evans
Art Unit	4112
Examiner Name	Rebecca M. Fritchman
Attorney Docket Number	XY-Hypodermic-USNP

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

- ☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

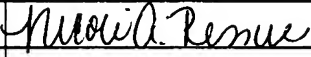
**OR**

- ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- ☐ See attached certification statement.
- ☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☒ None

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature		Date (YYYY-MM-DD)	2008-06-12
Name/Print	Nicole A. Ressue	Registration Number	48,665

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Assignee: XY, Inc.  
Attorney Docket: XY-Hypodermic-USNP  
Customer No. 33549


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**CERTIFICATE OF EXPRESS MAILING**

I, Cheryl A. Swanson, hereby certify to the truth of the following items:

1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.
2. I have this day deposited the attached Information Disclosure Statement Pursuant to 37 CFR §1.97(b)(3) along with a copy of each Foreign Patent Document and Non-Patent Literature Document cited; Letter of Transmittal; and return post card with the United States Postal Service as Express Mail, postage prepaid, for mailing to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Dated this 12 day of June, 2008.

  
\_\_\_\_\_  
Cheryl A. Swanson